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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/776,469	02/02/2001	Jeffery O. Beauchamp	22966-P001US	7141

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EXAMINER
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EHICHIOYA, FRED I

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 02/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/776,469

Applicant(s)

BEAUCHAMP, JEFFERY O.

Examiner

Fred I. Ehichioya

Art Unit

2172

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 29 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1 - 175 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) See Continuation Sheet is/are rejected.
- 7) ☒ Claim(s) See Continuation Sheet is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 2.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

Continuation of Disposition of Claims: Claims rejected are 1 - 9, 22, 25 - 27, 30 - 32, 34, 37, 38, 41, 42, 46, 47, 50 - 52, 54, 57 - 61, 66 - 71, 75, 77, 81, 83, 85 - 88, 94 - 97, 117 - 126, 133, 134, 137, 138, 141, 142, 145 - 150, 153 - 175.

Continuation of Disposition of Claims: Claims objected to are 10 - 21, 23, 24, 28, 29, 33, 35, 36, 39, 40, 43, 44, 45, 48, 49, 53, 55, 56, 62 - 65, 72, 73, 74, 76, 78 - 80, 82, 84, 89 - 93, 98 - 116, 127 - 132, 135, 136, 139, 140, 143, 144, 151 and 152.

### **DETAILED ACTION**

1. Claims 1 – 175 are pending in this office action.

#### ***Claim Objections***

2. Claims 10 - 21, 23, 24, 28, 29, 33, 35, 36, 39, 40, 43, 44, 45, 48, 49, 53, 55, 56, 62 - 65, 72, 73, 74, 76, 78 - 80, 82, 84, 89 - 93, 98 - 116, 127 - 132, 135, 136, 139, 140, 143, 144, 151 and 152 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 8, 9, 27, 68, 81 and 117 are rejected under 35 U.S.C. 103(a) as being unpatentable over USPN 4,947,438 issued to Annedore Paeseler (hereinafter "Paeseler") in view of USPN 5,371,807 issued to Michael S. Register et al (hereinafter "Register").

Regarding claims 1, 68 and 117, Paeseler teaches a method for specifying using a data processing system comprising the steps of:

reading a first list from a dictionary database (see Fig. 5 step 78 and column 2, lines 2 – 32);

attempting to match a set of user input to the first list to select a first element (see column 2, lines 51 – 55 and column 10, lines 3 – 5);

if a definitive match is not made, displaying a list of possible first elements from the first list and permitting selection of a member of the possible first elements list (see column 1, lines 3 – 17);

reading a second list from the dictionary database based upon the selected first element (see Fig.5 step 76 and column 1, lines 51 – 55);

attempting to match the set of user input to the second list to select a second element (see column 2, lines 33 – 35);

if a definitive match is not made, displaying a list of possible second elements from the second list and permitting selection of a member of the possible second element list (see column 7, lines 33 – 54);

reading a third list from the dictionary database based upon the selected first element and the selected second element (see Fig.5 step 70 and column 8, lines 50 – 52);

if a definitive match is not made, displaying a list of possible third elements from the third list and permitting selection of a set of third elements of the possible third

element list and entry of corresponding third element values (see column 16, lines 51 – 58);

composing a specification from the selected member of the first list, the selected member of the second list, and the selected set of third elements and corresponding third element values (see column 6, lines 59 – 68).

Paeseler does not explicitly teach attempting to match the set of user input to the third list to select a set of third elements and corresponding third element values.

Register teaches attempting to match the set of user input to the third list to select a set of third elements and corresponding third element values (see column 2, lines 48 – 54).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Register with the teaching of Paeseler wherein the list of recognized keywords are extracted into the third list. The motivation is that this list is used for a similarity measurement.

Regarding claim 8, Register teaches the step of attempting to match the user input to the first list is accomplished with further reference to external factors (see column 2, lines 53 – 56).

Regarding claim 9, Paeseler teaches permitting the user to elect entry of a freeform specification; accepting entry of a freeform specification; and composing the specification from the freeform specification (see column 2, lines 17 – 25).

Regarding claim 27, Paeseler teaches the specification is used to compose a query to locate a certain element the database (see column 17, lines 33 – 43).

Regarding claim 81, Paeseler teaches wherein the composition code further comprises codes to direct the data processing system to compose the specification in a different language from that previously used by the user to select the first element, the second element and the set of third elements and corresponding values (see column 6, lines 52 – 62).

4. Claims 2, 3, 4, 5, 6, 7, 22, 69, 70, 71, 75, 118, 119, 120, and 133 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paeseler in view of Register and further in view of USPN 5,630,125 issued to Paul Zellweger (hereinafter “Zellweger”).

Regarding claims 2, 4, 69 and 71, Paeseler or Register does not explicitly teach mutually-exclusive.

Zellweger teaches mutually-exclusive (see column 5, lines 21 – 24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Zellweger with the teaching of Paeseler and Register wherein the first list is mutually-exclusive. The motivation is that the mutual-exclusivity enables the search to be efficient.

Regarding claims 3 and 70, Paeseler or Register does not explicitly teach mutually-exclusive.

Zellweger teaches mutually-exclusive (see column 5, lines 21 – 24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Zellweger with the teaching of Paeseler and Register wherein the second list is mutually-exclusive. The motivation is that the mutual-exclusivity enables the search to be efficient.

Regarding claim 5, Zellweger teaches determining appropriate first synonyms for the first element (see column 4, lines 40 – 42); and

adding the first synonyms to the specification (see column 25, lines 26 – 33).

Regarding claim 6, Zellweger teaches determining appropriate first synonyms for the second element (see column 4, lines 40 – 42); and

adding the second synonyms to the specification (see column 25, lines 26 – 33).

Regarding claim 7, Zellweger teaches determining appropriate third synonyms for an element of the set of third elements (see column 4, lines 40 – 42); and

adding the third synonyms to the specification (see column 25, lines 26 – 33).



Regarding claims 22, 75 and 133, Zellweger teaches the additional step of writing the specification to a listing database (see column 17, lines 63 – 67 and column 18, lines 1 – 2).

Regarding claims 118 and 120, Zellweger teaches the noun list is mutually-exclusive (see column 5, lines 1 – 25).

Regarding claim 119, Zellweger teaches the adjective list is mutually-exclusive (see column 5, lines 1 – 25).

5. Claims 25, 77, 134, 161 and 162 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paeseler in view of Register and Zellweger, and further in view of USPN 6,412,008 issued to Duane Kimbell Fields et al (hereinafter "Field").

Regarding claims 25, 77 and 134, Paeseler, Register or Zellweger does not explicitly teach the additional step of passing the specification to a server.

Fields teaches the additional step of passing the specification to a server (see column 1, lines 35 – 40).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Fields with the teaching of Paeseler, Register and Zellweger wherein the client involves the specification of link to the server. The motivation is that the client is able to retrieve desired documents from the server.

Regarding claim 161, Zellweger teaches wherein the data processing system is configured to access an inventory control system (see column 14, lines 9 – 10).

Regarding claim 162, Zellweger teaches wherein the data processing system comprises an inventory control system (see column 14, lines 9 – 10).

6. Claims 26, 87, 158, 172 and 173 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paeseler in view of Register and Zellweger, and further in view of USPN 6,131,085 issued to Michael T. Rossides (hereinafter "Rossides").

Regarding claim 26, Paeseler, Register or Zellweger does not explicitly teach a description of the element.

Rossides teaches a description of the element (see column 7, lines 61 – 67 and column 8, lines 1 – 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Rossides with the teaching of Paeseler, Register and Zellweger wherein the specification is used to add to the listing database a description of the element. The motivation is that the description is for clarity of the types of elements.

Regarding claims 87 and 158, Rossides teaches the data processing system is configured to facilitate locating services locally (see column 78, lines 36 – 46).

Regarding claims 172 and 173, Rossides teaches the advertisement system comprises a system configured to assist the user in authoring classified advertisements (see column 136, lines 64 – 67).

7. Claims 30, 31, 37, 38, 50, 51, 54, 66, 67, 88, 137, 138, 141, 142, 159, 160, 174 and 175 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paeseler in view of Register and further in view of Fields.

Regarding claims 30, 31, 137 and 138, Paeseler or Register does not explicitly teach the specification is composed in a different language from that utilized during the other steps in the method.

Fields teaches the specification is composed in a different language from that utilized during the other steps in the method (see column 8, lines 15 - 24).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Fields with the teaching of Paeseler and Register wherein web pages could be translated to many languages. The motivation is that the server is able to obtain any kind of translated languages from different web pages.

Regarding claims 50, 51, 66, 67, 174 and 175, Fields teaches 50. The method of claim 1 wherein the data processing system is configured to access a web page authoring system (see column 1, lines 63 – 67 and column 2, lines 1 – 11).

Regarding claims 37, 38, 54, 88, 141, 142, 159 and 160, Fields teaches the data processing system is configured to access a search engine (see column 6, lines 23 – 25).

8. Claims 32, 34, 41, 57, 58, 59, 83, 85, 86, 94, 95, 97, 121, 122, 123, 124, 125, 126, 140, 145, 146, 147, 148, 153, 154, 155, 156, 157, 163, 164, 165, 166, and 167 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paeseler in view of Register and further in view of Rossides.

Regarding claim 32, Paeseler and Register does not explicitly teach sales system.

Rossides teaches the data processing system is configured to access sales system (see column 82, lines 37 - 44).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Rossides with the teaching of Paeseler and Register wherein the data processing system is configured to access sales system. The motivation is that the sales system keeps track of total sale that is used for predicting total sales and also for calculating royalties.

Regarding claims 34, 85, 86, 154 and 157, Rossides teaches the data processing system is configured to access a system to facilitate goods sales (see column 19, lines 17 – 23).

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Regarding claims 41, 57 and 163, Rossides teaches the data processing system is configured to access a customer assistance software (see column 77, lines 54 – 56).

Regarding claims 58, 145 and 164, Rossides teaches the server is a computerized telephone directory service (see column 77, lines 50 – 60).

Regarding claims 59, 148 and 167, Rossides teaches the server is an element of a point of sale system (see column 82, lines 37 – 44).

Regarding claims 83, 153, 155, and 156, Rossides teaches the data processing system is configured to facilitate sales on-line (see column 82, lines 37 – 44).

Regarding claims 94, 95, 147 and 166, Rossides teaches the data processing system is configured to access a point of sale system (see column 82, lines 37 – 44).

Regarding claim 97, Rossides teaches the specification defines an element in the database of a translation service (see column 210, lines 6 - 10).

Regarding claims 121 and 122, Rossides teaches the step of charging a user for the service of specifying (see column 243, lines 18 – 25).

Regarding claim 123, Rossides teaches the user is charged per specification (see column 234, lines 27 – 30).

Regarding claim 124, Rossides teaches the user is charged per time period of use (see column 232, lines 5 – 8).

Regarding claims 125 and 126, Rossides teaches the step of charging an advertiser for the right to display an advertisement to the user of the service of specifying (see column 7, lines 61 – y67 and column 8, lines 1 – 5).

Regarding claims 146 and 165, Rossides teaches the data processing system comprises a computerized telephone directory service (see column 88, lines 25 – 31).

9. Claims 46, 47, 60, 61, 96, 149, 150, 168, and 169 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paeseler in view of Register and Fields, and further in view of Rossides.

Regarding claims 46, 47, 60, 61, 96, 149, 150, 168 and 169, Paeseler, Register or Fields does not explicitly teach translation service.

Rossides teaches translation service (see column 210, lines 6 – 10).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Rossides with the teaching of Paeseler, Register and Fields wherein the data processing system is configured to access a computerized translation service. The motivation is that when original language entered into the

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system, it can be translated into a given language on demand. This system is able to translate any given language.

10. Claims 52, 170, and 171 are rejected under 35 U.S.C. 103(a) as being unpatentable over Paeseler in view of Register, Zellweger, Fields and further in view of Rossides.

Regarding claims 52 and 59, Paeseler, Register, Zellweger or Fields does not explicitly teach sales database.

Rossides teaches sales database (see column 77, lines 50 – 60).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Rossides with the teaching of Paeseler, Register and Zellweger wherein the data processing system is configured to access sales databases. The motivation is that the record stored in this database are used for sales forecast.

Regarding claims 170 and 171, Rossides teaches the data processing system is configured to access an advertisement system (see column 25, lines 55 – 57).


**Conclusion**

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fred I. Ehichioya whose telephone number is 703-305-8039. The examiner can normally be reached on M - F 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E. Breene can be reached on 703-305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Fred I. Ehichioya  
Examiner  
Art Unit 2172  
February 21, 2004



SHAHID ALAM  
PRIMARY EXAMINER